

Notice of Allowability

Application No.

10/797,448

Examiner

Charles Goodman

Applicant(s)

BLISS, JOSEPH

Art Unit

3724

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed on 5/12/2006.
2. ☒ The allowed claim(s) is/are 1-26.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


CHARLES GOODMAN
PRIMARY EXAMINER

REASONS FOR ALLOWANCE

1. The following is an examiner's statement of reasons for allowance:

The prior art of record do not anticipate nor do they reasonably suggest the die adaptor system and method as claimed in claims 1, 18, 20 and 26.

The closest prior art, Quaas (US 4,151,736), teaches a quick change apparatus for heavy die sets comprising many of the claimed elements including, inter alia, a lower adaptor (e.g. 12); an upper adaptor (e.g. 10); a tool package (e.g. 16, 18); a lower shoe detail (e.g. at 14); and an upper shoe detail (e.g. note the cut-away portions of a surrounding structure at the corners near references 10 and 134 in Fig. 1). Figs. 1-6.

Upon further review and in light of Applicant's arguments, it is deemed that Quaas lacks formation of a tool package such that the same may be interchanged with a different package as claimed. In other words, the features of Quaas that may read on upper and lower adaptors are not formed as a unit that may be interchanged together. Substantially the same applies to claims 18, 20 and 26.

Another closely related prior art, Ryser et al (US 4,143,574), teaches a stamping device comprising many of the claimed elements including, inter alia, a lower adaptor (e.g. 53); an upper adaptor (e.g. 34); a tool package (e.g. 43, 63); a lower shoe detail (e.g. 57, 22); an upper shoe detail (e.g. 21, 31); and a lower binder holder (e.g. 57). Figs. 1-9.

Upon further review and in light of Applicant's arguments, it is deemed that Ryser et al lacks the formation of a tool package such that the same may be interchanged with a different package as claimed. In other words, the features of Ryser et al that may read on upper and lower adaptors are not formed as a unit that may be interchanged together. Substantially the same applies to claims 18, 20 and 26.

Since none of the other prior art of record fairly teach or suggest these lacking features, it is believed that the claimed inventions in combination with all the other recited elements and steps are allowable over the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles Goodman whose telephone number is (571) 272-4508. The examiner can normally be reached on Monday-Friday between 8:30 AM to 6:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Boyer Ashley, can be reached on (571) 272-4502. In lieu of mailing, it is encouraged that all formal responses be faxed to **(571) 273-8300**.


Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at (866) 217-9197 (toll-free).

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June 27, 2006


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